

REMARKS

In response to the Restriction Requirement, Applicants hereby elect, with traverse, to prosecute Group II, which includes and is drawn to claims 10 and 29-44. Applicants reserve the right to prosecute non-elected subject matter in subsequent divisional applications.

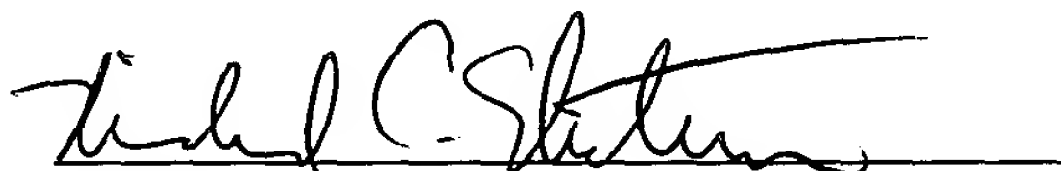
Applicants submit that the invention encompassed by the claims of Group I (drawn to polypeptide) could be examined at the same time as the inventions encompassed by the claims of Group II. A search of the prior art to determine the novelty of the claimed antibodies would substantially overlap with the search of the claimed polypeptides. Furthermore, claims drawn to substantially the same polypeptide invention as claimed herein, but of a different scope, appear in the parent application Serial No. 09/429,526 (now U.S. patent No. 6,251,389). Hence, there would appear to be no burden for the Examiner to consider the claims of both Groups I and II. Withdrawal of restriction requirement between Groups I and II is therefore requested.

Applicants believe that no fee is due with this communication. However, if the USPTO determines that a fee is due, the Commissioner is hereby authorized to charge Deposit Account No. 09-0108.

Respectfully submitted,

INCYTE GENOMICS, INC.

Date: 13 March 2002

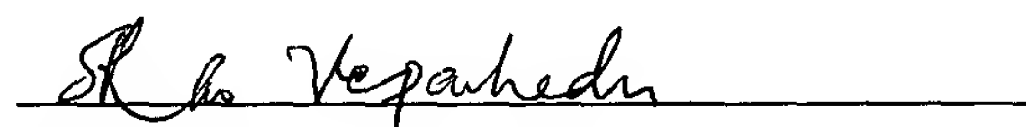


Richard C. Ekstrom

Reg. No. 37,027

Direct Dial Telephone: (650) 843-7352

Date: March 13, 2002



Sreenivasarao Vepachedu

Reg. No. 46,395

Direct Dial Telephone: (650) 845 -5735

3160 Porter Drive
Palo Alto, California 94304
Phone: (650) 855-0555
Fax: (650) 849-8886

VERSION WITH MARKINGS TO SHOW CHANGES MADE IN THE CLAIMS

1. (Once Amended) An isolated polypeptide [comprising an amino acid sequence] selected from the group consisting of:

- a) [an] a polypeptide comprising the amino acid sequence of SEQ ID NO:1,
- b) a polypeptide comprising a naturally occurring amino acid sequence [having] at least 90% [sequence identity] identical to [an] the amino acid sequence of SEQ ID NO:1,
- c) a [biologically active] fragment of [an] a polypeptide having the amino acid sequence of SEQ ID NO:1, said fragment having nucleotide pyrophosphohydrolase activity, and
- d) an immunogenic fragment of [an] a polypeptide having the amino acid sequence of SEQ ID NO:1.

10. (Once Amended) An isolated antibody which specifically binds to a polypeptide [of claim 1] selected from the group consisting of:

- a) a polypeptide comprising the amino acid sequence of SEQ ID NO:1,
- b) a polypeptide comprising a naturally occurring amino acid sequence at least 90% identical to the amino acid sequence of SEQ ID NO:1,
- c) a fragment of a polypeptide having the amino acid sequence of SEQ ID NO:1, said fragment having nucleotide pyrophosphohydrolase activity, and
- d) an immunogenic fragment of a polypeptide having the amino acid sequence of SEQ ID NO:1.